

**CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH CARDINAL**

**BY-LAW NO. 2019-47**

**"A BY-LAW TO AUTHORIZE THE EXECUTION OF  
A SITE PLAN CONTROL AGREEMENT WITH 2643868 ONTARIO INC."**

**WHEREAS:** The Council of the Corporation of the Township of Edwardsburgh Cardinal deems it advisable to enter into a Site Plan Control Agreement with 2643868 Ontario Inc. (MSGD Petroleum) respecting development of a property described as:

2085 County Road 22  
PART OF LOT 6 CON 2 EDWARDSBURGH AS IN PR89727, PT 1 ON 15R8540 &  
PT 1 ON 15R9285 EXCEPT PART 1 ON 15R7354 & PTS 2 & 3 ON 15R10628; S/T  
PR195859; S/T INTEREST IN PR37581; EDWARDSBURGH/CARDINAL  
Property Roll #070170101018401  
PIN 68150-0142

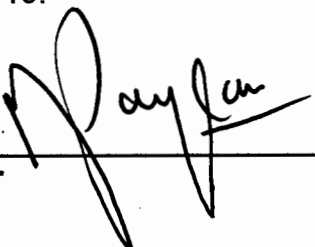
**AND WHEREAS:** Authority is granted under Section 41 of the Planning Act, RSO 1990, c.P. 13, as amended to the Council of the Corporation of the Township of Edwardsburgh/Cardinal to enter into such agreement;

**NOW THEREFORE:** The Council of the Corporation of the Township of Edwardsburgh Cardinal enacts as follows:

1. That the Mayor and Clerk are hereby authorized to execute an agreement with 2643868 Ontario Inc. and that a signed copy of said agreement is attached hereto as Schedule "A".
2. That the by-laws to authorize execution of site plan control previously passed are hereby repealed: (a) PR185588, registered on December 2, 2004; (b) PR207867 registered on March 7, 2008; (c) GC3693 registered February 12, 2010; and (d) GC32826 registered on October 8, 2014.
3. That all other by-laws previously passed that are inconsistent with the provisions of this by-law are hereby repealed, including but not limited to By-law 1988-42 (Edwardsburgh), By-law 1995-47 (Edwardsburgh), Bylaw 2004-45, Bylaw 2007-32, Bylaw 2009-31, and Bylaw 2014-50.
4. That this by-law shall come into force and take effect upon passing.

Read a first and second time in open Council this 26<sup>th</sup> day of August, 2019.

Read a third and final time, passed, signed and sealed in open Council this 26<sup>th</sup> day of August, 2019.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Deputy Clerk

**THE CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH CARDINAL  
SITE PLAN CONTROL AGREEMENT AS AUTHORIZED BY BY-LAW 2019-47**

**THIS AGREEMENT** made in triplicate this 25 day of Sept, 2019

**BETWEEN:** 2643868 Ontario Inc.

Hereinafter called the "Owner" of the first part

**AND: THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH CARDINAL**

Hereinafter called the "Township" of the second part

WHEREAS: Bylaw 2002-31, as amended, of the Corporation of the Township of Edwardsburgh designated all of the lands in the Township of Edwardsburgh to be subject to site plan control;

AND WHEREAS: The owner is the registered owner of the lands described in Schedule "A" to this agreement and which are situate within the Township of Edwardsburgh Cardinal;

AND WHEREAS: The described land is zoned as a Highway Commercial zone under the Township of Edwardsburgh Cardinal restricted area By-Law 2012-35 as amended;

AND WHEREAS: The owner wishes to develop the owner's lands according to the requirements of By-law 2012-35 as amended;



NOW THEREFORE THIS AGREEMENT WINESSETH THAT in consideration of other valuable considerations and the sum of two dollars (\$2.00) of lawful money of Canada now paid by the Owner to the Township (the receipt whereof is hereby acknowledged) and in consideration of the mutual covenants hereinafter expressed, the parties hereto covenant and agree one with the other as follows:

1. This is an agreement made pursuant to the provisions of Section 41 of the Planning Act, RSO 1990. as amended, and applies to the lands described in Schedule "A" to this agreement which lands are hereinafter referred to as the owner's lands.
2. That the location of the buildings and structures to be erected on the owner's lands, location of other facilities and the external appearance and design of the buildings shall conform to the plans attached hereto as Exhibit "1" of Schedule "B" to this agreement; provided that minor changes to such plans may be made by the owner with the prior consent in writing of the Chief Building Official for the Corporation of the Township of Edwardsburgh Cardinal.
3. That the owner shall satisfy the conditions, facilities and matters on the owner's lands as specified in Schedule "C" to this agreement to the satisfaction of the Chief Building Official for the Corporation of the Township of Edwardsburgh Cardinal.
4. That the conditions, facilities and matters as shown on Schedule "B" and described in Schedule "C" shall be provided and maintained by the owner at his sole risk and expense and to the satisfaction of the Chief Building Official of the Corporation of the Township of Edwardsburgh Cardinal.
5. That if a building permit has not been issued within six months of the date of signing of this agreement, then this agreement will become null and void and a new application must be submitted and approved by the Township before a building permit shall be issued.


6. That the covenants, agreements and conditions herein contained on the part of the owner shall run with the land and shall be binding upon the parties hereto, and their successors, assigns respective heirs, executors and administrators.
7. That it is understood and agreed that examination and acceptance of plans, drawings and contract document by any employee of the Corporation of the Township of Edwardsburgh Cardinal or the satisfying of any requirements of this agreement by the owner does not constitute acceptance of this agreement by the Corporation of the Township of Edwardsburgh Cardinal, until a By-law to authorize this agreement has been passed by the Council of the Corporation of the Township of Edwardsburgh Cardinal and this agreement is signed by the persons authorized to do so by such By-law.
8. That the owner hereby agrees to pay all costs involved in the registration of this agreement and all other costs incurred by the Corporation of the Township of Edwardsburgh Cardinal with respect to this agreement.

IN WITNESS WHEREOF the parties hereto have executed this agreement.

THE CORPORATION OF THE TOWNSHIP  
OF EDWARDSBURGH CARDINAL

)   
) Mayor  
)   
) Clerk  
We have authority to bind the Corporation.

2643868 ONTARIO INC.

)   
) Director  
)   
) Director  
I/We have authority to bind the Corporation.

**SCHEDULE "A"**  
**Site Plan Control Agreement**

TO AGREEMENT EXECUTED THE 26 day of Sept, 2019

**BETWEEN:** 2643868 ONTARIO INC.

**AND:** THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH CARDINAL

**DESCRIPTION OF THE PROPERTY**

PART OF LOT 6 CON 2 EDWARDSBURGH AS IN PR89727, PT 1 ON 15R8540 & PT 1 ON 15R9285 EXCEPT PART 1 ON 15R7354 & PTS 2 & 3 ON 15R10628; S/T PR195859; S/T INTEREST IN PR37581; EDWARDSBURGH/CARDINAL

A handwritten signature in black ink, appearing to be 'MA' followed by a large, sweeping flourish.

**SCHEDULE "B"**  
**Site Plan Control Agreement**

TO AGREEMENT EXECUTED THE 25 day of Sept, 2019

**BETWEEN:** 2643868 ONTARIO INC.

**AND:** THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH CARDINAL

**MASSING AND CONCEPTUAL PLAN SITE PLAN**

**EXHIBITS:** The following Exhibits attached hereto shall form part of this Schedule:

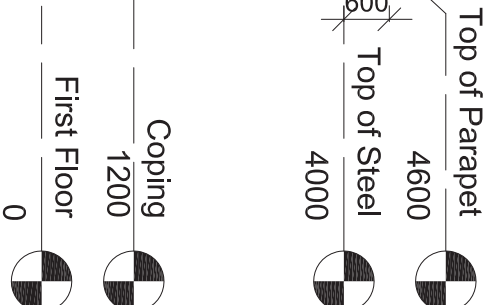
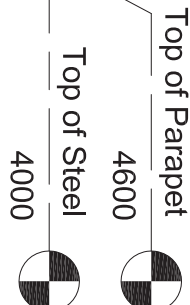
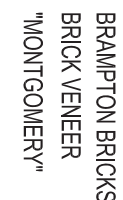
- Exhibit 1 - Site Plan
- Exhibit 2 - Building Elevations











ONTARIO ASSOCIATION  
 OF  
 ARCHITECTS  
 SHASHAK CHITALE  
 LICENCE  
 6133  
 JUN 25/2011  
 PHO # 1858

**SCHEDULE "C"**  
**Site Plan Control Agreement**

TO AGREEMENT EXECUTED THE 25 day of Sept, 2019

**BETWEEN:** 2643868 ONTARIO INC.

**AND:** THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH CARDINAL

1. STREET WIDENINGS

- a) If required, road widenings shall be at owner's expense to the satisfaction of County and Ministry of Transportation standards and approval.

2. ACCESS FACILITIES

- a) As per site plan forming Exhibit No. 1 of Schedule "B" to this agreement.
- b) Shall be to Ministry of Transportation and County approval standards, at owner's expense.

3. SNOW REMOVAL

- a) Snow removal is the responsibility of the owner.

4. GRADING AND DISPOSAL OF STORM AND SANITARY WASTE

- a) **Storm Waste:** Storm waste shall be directed towards the west, to the County Road ditches. It shall be the responsibility of the owner to construct swales on the east and south sides of the property if needed.
- b) **Sanitary Waste:** New installations shall have Leeds, Lanark & Grenville Health Unit or Ministry approval as required prior to the issuing of a building permit.

5. REFUSE STORAGE AND DISPOSAL

- a) A refuse storage shall be provided by the Owner.
- b) The owner shall be responsible for the disposal of refuse from his property.

6. LOCATION OF BUILDING STRUCTURES AND FACILITIES

- a) As per Site Plan and Building Elevations forming Exhibit No. 1 and Exhibit No. 2 of Schedule "B" to this Agreement.





## ACKNOWLEDGEMENT AND DIRECTION

TO: Samantha Berry  
(Insert lawyer's name)

AND TO: AULT & AULT  
(Insert firm name)

RE: By-Law 2019-47 ("the transaction")  
(Insert brief description of transaction)

**This will confirm that:**

- I/We have reviewed the information set out in this Acknowledgement and Direction and in the documents described below (the "Documents"), and that this information is accurate;
- You, your agent or employee are authorized and directed to sign, deliver, and/or register electronically, on my/our behalf the Documents in the form attached.
- You are hereby authorized and directed to enter into an escrow closing arrangement substantially in the form attached hereto being a copy of the version of the Document Registration Agreement, which appears on the website of the Law Society of Upper Canada as the date of the Agreement of Purchase and sale herein. I/We hereby acknowledge the said Agreement has been reviewed by me/us and that I/We shall be bound by its terms;
- The effect of the Documents has been fully explained to me/us, and I/we understand that I/we are parties to and bound by the terms and provisions of the Documents to the same extent as if I/we had signed them; and
- I/we are in fact the parties named in the Documents and I/we have not misrepresented our identities to you.
- I, \_\_\_\_\_, am the spouse of \_\_\_\_\_, the (Transferor/Chargor), and hereby consent to the transaction described in the Acknowledgment and Direction. I authorize you to indicate my consent on all the Documents for which it is required.

### DESCRIPTION OF ELECTRONIC DOCUMENTS

The Document(s) described in the Acknowledgement and Direction are the document(s) selected below which are attached hereto as "Document in Preparation" and are:

- ☐ A Transfer of the land described above.
- ☐ A Charge of the land described above.
- ☐ Other documents set out in Schedule "B" attached hereto.

Dated at Spencerville, this 11 day of Oct, 2019.

**WITNESS**

(As to all signatures, if required)



\_\_\_\_\_  
THE CORPORATION OF THE TOWNSHIP OF  
EDWARDSBURGH/CARDINAL

  
\_\_\_\_\_  
PATRICK SAYEAU, MAYOR

  
\_\_\_\_\_  
DEBRA MCKINSTRY, CAO

\_\_\_\_\_  
WE HAVE AUTHORITY TO BIND THE CORPORATION

**Properties**

**PIN** 68150 - 0142 LT  
**Description** PT LT 6 CON 2 EDWARDSBURGH AS IN PR89727, PT 1 15R8540 & PT 1, 15R9285  
EXCEPT PT 1, 15R7354 & PT 2 & 3, 15R10628; S/T PR195859; S/T INTEREST IN  
PR37581; EDWARDSBURGH/CARDINAL  
**Address** 2085 COUNTY ROAD 22  
CARDINAL

**Applicant(s)**

This Order/By-law affects the selected PINs.

**Name** THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL  
Acting as a company  
**Address for Service** 18 Centre Street  
Spencerville, ON  
K0E 1X0

This document is being authorized by a municipal corporation Patrick Sayeau, Mayor and Debra McKinstry, CAO.

This document is not authorized under Power of Attorney by this party.

**Statements**

This application is based on the Municipality By-law See Schedules.

## ACKNOWLEDGEMENT AND DIRECTION

TO: Samantha Berry  
(Insert lawyer's name)

AND TO: AULT & AULT  
(Insert firm name)

RE: Site Control Agreement 730 Truck Stop ("the transaction")  
(Insert brief description of transaction)

**This will confirm that:**

- I/We have reviewed the information set out in this Acknowledgement and Direction and in the documents described below (the "Documents"), and that this information is accurate;
- You, your agent or employee are authorized and directed to sign, deliver, and/or register electronically, on my/our behalf the Documents in the form attached.
- You are hereby authorized and directed to enter into an escrow closing arrangement substantially in the form attached hereto being a copy of the version of the Document Registration Agreement, which appears on the website of the Law Society of Upper Canada as the date of the Agreement of Purchase and sale herein. I/We hereby acknowledge the said Agreement has been reviewed by me/us and that I/We shall be bound by its terms;
- The effect of the Documents has been fully explained to me/us, and I/we understand that I/we are parties to and bound by the terms and provisions of the Documents to the same extent as if I/we had signed them; and
- I/we are in fact the parties named in the Documents and I/we have not misrepresented our identities to you.
- I, \_\_\_\_\_, am the spouse of \_\_\_\_\_, the (Transferor/Chargor), and hereby consent to the transaction described in the Acknowledgment and Direction. I authorize you to indicate my consent on all the Documents for which it is required.

### DESCRIPTION OF ELECTRONIC DOCUMENTS

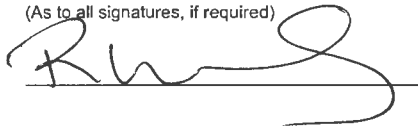
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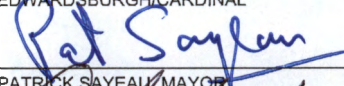
Dated at Spencerville, this 16 day of Oct, 2019.

**WITNESS**

(As to all signatures, if required)



\_\_\_\_\_  
THE CORPORATION OF THE TOWNSHIP OF  
EDWARDSBURGH/CARDINAL

  
\_\_\_\_\_  
PATRICK SAYEAU, MAYOR

  
\_\_\_\_\_  
DEBRA MOKINSKY, CAO

\_\_\_\_\_  
WE HAVE AUTHORITY TO BIND THE CORPORATION



**Properties**

**PIN** 68150 - 0142 LT  
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PR37581; EDWARDSBURGH/CARDINAL  
**Address** 2085 COUNTY ROAD 22  
CARDINAL

**Consideration**

**Consideration** \$0.00

**Applicant(s)**

The notice is based on or affects a valid and existing estate, right, interest or equity in land

**Name** THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL  
Acting as a company  
**Address for Service** 18 Centre Street  
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K0E 1X0

This document is not authorized under Power of Attorney by this party.

This document is being authorized by a municipal corporation Patrick Sayeau, Mayor; Debra McKinstry, CAO.

**Statements**

This notice is pursuant to Section 71 of the Land Titles Act.

This notice is for an indeterminate period

Schedule: See Schedules

**Properties**

*PIN*                    68150 - 0142    LT  
*Description*        PT LT 6 CON 2 EDWARDSBURGH AS IN PR89727, PT 1 15R8540 & PT 1, 15R9285  
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*Address for Service*    18 Centre Street  
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**Statements**

This application is based on the Municipality By-law See Schedules.

**Signed By**

Carolyn Marie Hedge	Box 428, 522 St. Lawrence St. Winchester K0C 2K0	acting for Applicant(s)	Signed    2019 10 16
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Tel            613-774-2670  
Fax            613-774-2266

I have the authority to sign and register the document on behalf of the Applicant(s).

**Submitted By**

AULT & AULT	Box 428, 522 St. Lawrence St. Winchester K0C 2K0	2019 10 16
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Tel            613-774-2670  
Fax            613-774-2266

**Fees/Taxes/Payment**

Statutory Registration Fee	\$64.40
Total Paid	\$64.40

Properties

PIN68150 - 0142    LT

DescriptionPT LT 6 CON 2 EDWARDSBURGH AS IN PR89727, PT 1 15R8540 & PT 1, 15R9285  
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Address2085 COUNTY ROAD 22  
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Consideration

Consideration\$0.00

Applicant(s)

The notice is based on or affects a valid and existing estate, right, interest or equity in land

NameTHE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL

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Box 428, 522 St. Lawrence St.  
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K0C 2K0

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